

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ERWIN, Stephen William

International Application No. PCT/AU2003/001348

Serial No. NOT YET ASSIGNED

International Filing Date: 10 October 2003 (10.10.2003)

Filed: July 11, 2005

For: VENDING MACHINE FOR DISPENSING BAGS

**PETITION TO REVIVE UNINTENTIONALLY ABANDONED APPLICATION UNDER**  
**37 CFR § 1.137(b)**

Commissioner for Patents  
Attn: Petitions Examiner  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner, through the undersigned attorney, hereby requests that the above captioned international application PCT/AU2003/001348, be revived and restored to pending status to allow the applicant to enter the national stage application process for the United States as an elected office for filing under 37 U.S.C. 371.

Statement of Facts:

Said application was timely filed as a PCT Application on 10 October 2003, within 1 year from the priority dates of 11 October 2002 and 25 March 2003 of the applications originally filed in Australia. A Demand for examination was timely filed.

The unintentional delay in filing the national stage of the application in the United States as an elected office by the 30<sup>th</sup> month due 11 April 2005, to the filing of this petition, was unintentional. A Statement attesting to that fact is attached herewith.

The petitioner is now submitting the necessary filing documents to commence the national phase filing in the U.S. including:

- (1) Transmittal Letter To U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (2) International Publication No: WO 2004/034342 A1, International Publication Date: 22 April 2004 (22.04.2004);
- (3) Application which consists of 23 pages including:
  - 2 cover pages containing the Abstract,
  - 16 pages Textual Specification,
  - 2 pages of 14 Claims,
  - 3 sheets of Drawings;
- (4) PCT/ISA/210 International Search Report;
- (5) **Petition To Revive Unintentionally Abandoned Application Under 37 CFR § 1.137(b);**
- (6) **Statement That Entire Delay In Filing Was Unintentional;**
- (7) Unexecuted Inventor's Declaration;
- (8) Information Disclosure Statement;
- (9) PTO Form 1449 citing 5 references with 5 references attached;
- (10) Demand;
- (11) Written Opinion;
- (12) International Preliminary Examination Report;
- (13) Request

- (14) Check No. 23306 \$ 450.00 for Government Filing Fee,  
Search Fee and Examination Fee as a small entity;  
(15) Check No. 23307 \$ 750.00 Petition Fee under 1.17(m);  
(16) Postcard for early notification of serial number.

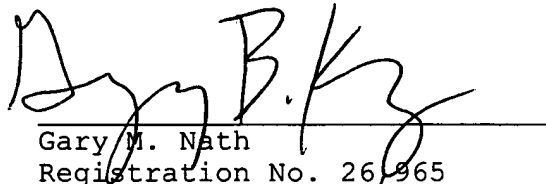
Please charge any deficiency in fees or credit any overpayment in connection with this matter to deposit Account No. 14-0112.

It is respectfully requested that the attached international application due for US national phase entry on 11 April 2005 be revived and this petition granted to restore the International Application to pending status.

Please direct any questions or comments to the undersigned attorney.

Respectfully submitted,

NATH & ASSOCIATES PLLC



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Date: July 11, 2005  
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GMN/GBK/dd:Pet.1.137(b) ReviveUnitAbandPCT